

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001  <i>This document relates to: Ashton et al v. al Qaeda et al, 02-cv-6977 (RCC)</i>	03 MDL 1570 (RCC)  ECF Case
---	-----------------------------------

**DEFENDANT DALLAH AVCO TRANS-ARABIA CO., LTD'S NOTICE OF  
MOTION**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law and all prior papers and proceedings herein, Defendant Dallah Avco Trans-Arabia Co., Ltd. will move before the Honorable Richard Conway Casey, United States District Court for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, New York, for the following relief:

- a.) Dismissal of plaintiffs' Complaint pursuant to Fed. R. Civ. P. 12 (b)(6) for failure to state a claim upon which relief can be granted;
- b.) Dismissal of plaintiffs' Complaint pursuant to Fed. R. Civ. P. 12 (b)(2) for lack of personal jurisdiction;
- c.) Dismissal for any such further relief as the Court deems just and proper.

Dated: May 26, 2006

Respectfully Submitted,

/s/  
Martin F. McMahon, Esq., #M.M.4389  
MARTIN F. MCMAHON & ASSOCIATES  
1150 Connecticut Avenue NW, Suite 900  
Washington, DC 20036  
Phone: 202-862-4343  
Facsimile: 202-828-4130

*Attorney for Defendant Dallah Avco*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Notion of Motion to Dismiss and its accompanying memorandum of points and authorities was served via electronic case filing on this 26<sup>th</sup> day of May, 2006, upon the following:

Andrew J. Malloney III, Esq.  
Kriendler & Kriendler  
100 Park Avenue  
New York, NY 10017-5590

\_\_\_\_\_/s/\_\_\_\_\_  
Lisa D. Angelo